

REMARKS

Claims 26 and 28-30 are currently canceled, claims 1-16 and 40-41 have been previously canceled, claims 17, 22, 23, and 37-39 have been amended and claim 42 has been added. Thus, claims 17-25, 27, 31-39 and 42 are currently pending and presented for examination. Applicant respectfully request reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Claims 17-22 and 29-38 stand rejected under 35 U.S.C. under section 103(a) as being obvious by Karras (US 6,393,113) in view of Murray et al. (US 6,654,452). Claims 23, 24 and 26-28 stand rejected under 35 U.S.C. under section 103(a) as being obvious by Karras in view of Murray and in further view of Allison et al. (US 2003/0083089). Claim 39 stands rejected under 35 U.S.C. under section 102(e) as being anticipated by Wallenius et al. (US 2005/0259796).

Applicant has amended claim 17 to recite the following:

receiving a detection request in order to detect the malicious call of the calling terminal, the detection request initiated by a user of the called terminal and formed according to the session initiation protocol...

the signaling unit performs signaling between the signaling unit and the called terminal device in accordance with the session initiation protocol

In contrast, Karras is directed towards SS#7 networks and teaches that signaling between the signaling unit (SP 34) and the called terminal device (subscriber 42) is in accordance with SS#7 signaling. Modifying Karras to use a session initiation protocol would be unsatisfactory for the intended purpose of Karras and thus there is no suggestion or motivation to make the proposed modification.

If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification (MPEP 2143 section V).

Furthermore, Applicant's "called terminal device operates according to a session initiation protocol". Murray also teaches that called terminal device operates according to a

circuit switched protocol of the PSTN (FIG 1). Thus, the combination of Karras and Murray does not teach or suggest the called terminal device operates according to a session initiation protocol.

Applicant respectfully submits that for at least the above reasons claim 17 is patentable. Furthermore, claims 18-25, 27, and 31-36 are patentable at least based on their dependency to independent claim 17 as well as based on their own merits. Applicant respectfully submits that claim 37 which includes “the detection request generated according to a session initiation protocol” and claim 38 which depends on independent claim 38 are also patentable for the reasons above.

Applicant have amended claim 39 which to include the message indicating that the call from the calling terminal device is a malicious call to overcome the 102 rejection. Applicant respectfully submits that claim 39 is patentable over Wallenius.

New claim 17 recites “the first call request, received by the signaling unit, is in accordance with the session initiation protocol” (see e.g, figure 3)” There is no teaching or motivation to change the switching points (SPs) and switching transfer points (STP) of an SS#7 network to communication according to a session initiation protocol.

Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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